

REMARKS

Favorable consideration and allowance are requested for claims 12-30 in view of the following remarks.

Status of the Application

Claims 12-30 are pending in this application. Claims 12-20 have been allowed. Claims 21 and 22 were rejected under 35 U.S.C. § 101 as not being directed to statutory subject matter. Claims 23-30 were rejected under 35 U.S.C. § 101 as lacking utility. Claim 23 was rejected under 35 U.S.C. § 112, ¶ 2. Claims 21 and 23 have been amended to correct minor informalities.

Rejection under 35 U.S.C. § 112

Claim 23 was rejected under 35 U.S.C. § 112, ¶ 2 for two reasons. First, the Examiner stated that it was unclear whether “said first memory” in the seventh line of the claim referred to the first data memory or the first volatile working memory. Second, the Examiner stated that it was unclear what “said boot” referred to in the eighth line of the claim. Claim 23 has been amended to indicate that the first memory in the seventh line of the claim is the first data memory. (Claim 23 has also been amended to correct a minor informality.) Applicant respectfully asserts that no further amendment to claim 23 is necessary as it is clear from the claim that “said boot program” refers to the “non-compressed boot program” recited earlier in the claim.

Rejections under 35 U.S.C. § 101

Claims 21 and 22 were rejected under 35 U.S.C. § 101 as not being directed to statutory subject matter because the data structure recited in claim 21 is not limited to tangible embodiments. In response, Applicant respectfully submits that the data structure of claim 21 produces a tangible result, as the data memory fields store the compressed application program, and the volatile memory fields receive the application program in uncompressed form so that the boot program can start the application program. The specification indicates that such a structure can reduce memory requirements in, *e.g.*, a satellite system. *See* Specification at page 12, lines 18-27; *see also* MPEP § 2106 (“When functional descriptive material is recorded on some computer-readable medium it becomes structurally and functionally interrelated to the medium and will be statutory in most cases since use of technology permits the function of the descriptive material to be realized.”). Therefore, Applicant asserts that claims 21 and 22 are in condition for allowance.

Claims 23-30 were rejected under 35 U.S.C. § 101 as being inoperative and, therefore, lacking utility because no action is being executed with the claimed memories. Applicant respectfully submits that the rejection under 35 U.S.C. § 101 is misplaced. MPEP § 2106 requires a “review [of] the complete specification, including the detailed description of the invention, any specific embodiments that have been disclosed, the claims and any specific, substantial, and credible utilities that have been asserted for the invention.” Based on such a

review, it is readily apparent that the “specific, substantial, and credible utilities” for the invention set forth in claims 23-30 are for “a method for processing data.” For example, the specification indicates that the processing of satellite navigational data with the invention can be accomplished with reduced memory requirements. *See* Specification at page 12, lines 18-27. The apparatus of claim 23 unquestionably provides a “useful, concrete, and tangible result.” *See generally* State Street Bank & Trust Co. v. Signature Financial Group Inc., 149 F. 3d 1368, 47 USPQ2d 1596 (Fed. Cir. 1998). Therefore, Applicant respectfully asserts that claims 23-30 are in condition for allowance.

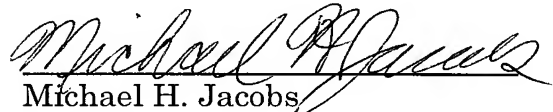
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If there are any questions regarding this amendment or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323 (Docket #010408.52554US).

Respectfully submitted,

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